

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CROSSFIT, INC., a Delaware corporation,

Plaintiff,

V.

NATIONAL STRENGTH AND
CONDITIONING ASSOCIATION, a
Colorado corporation,

Defendant.

Case No.: 14-CV-1191 JLS (KSC)

**ORDER DENYING MOTION TO
FILE DOCUMENTS UNDER SEAL**
(ECF No. 229)

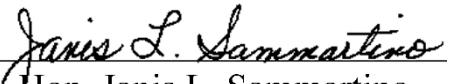
Presently before the Court is Plaintiff's Motion to File Documents Under Seal, (ECF No. 198). Plaintiff seeks to file under seal:

1. Plaintiff's *Ex Parte* Application to File a Sur-Reply to Defendant's Motion to Amend the Scheduling Order to Allow Designation of Expert Witnesses;
2. The Declaration of Justin S. Nahama in Support of Plaintiff's *Ex Parte* Application; and
3. Exhibit A to the *Ex Parte* Application, which includes: (1) Plaintiff's proposed Sur-Reply, and (2) the Declaration of Justin S. Nahama with exhibits attached thereto; Plaintiff does not seek to file under seal only portions of these lengthy documents, but seek to seal the entirety of all of the documents. Plaintiff must present compelling reasons to overcome the strong presumption of public access to documents. *Ctr. for Auto*

1 *Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1096–98 (9th Cir. 2016); *Foltz v. State Farm*
2 *Mut. Auto Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003). “[G]eneralized information is not
3 likely to meet the compelling reasons standard of sealing, and [a party] must avoid this
4 general information when applying its redactions to propriety information.” *Obesity*
5 *Research Inst., LLC v. Fiber Research Int'l, LLC*, No. 15-cv-595-BAS (MDD), 2017 WL
6 5001287, at *5 (S.D. Cal. Nov. 2, 2017) (collecting cases). The Court finds it is plausible
7 there may be information in one or more of the above documents that warrants sealing, but
8 Plaintiff has failed to present compelling reasons that the entirety of each of the documents
9 warrant sealing. Thus, the Court **DENIES WITHOUT PREJUDICE** Plaintiff’s Motion
10 and **GRANTS** Plaintiff leave to amend its motion to file documents under seal. *See Obesity*
11 *Research Inst., LLC v. Fiber Research Int'l*, No. 15-cv-595-BAS (MDD), 2017 WL
12 3269211, at *2 (S.D. Cal. July 31, 2017) (holding the same). Plaintiff’s revised Motion
13 must specify portions of the documents that present compelling reasons for sealing.

14 **IT IS SO ORDERED.**

15 Dated: March 7, 2018


16 Hon. Janis L. Sammartino
17 United States District Judge

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